

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2017-135625-001 DT

03/07/2018

COMMISSIONER JACKI IRELAND

CLERK OF THE COURT
E. Catarino
Deputy

STATE OF ARIZONA

CHRISTIAN MARK LUEDERS

v.

SHANE DAVID JOHNSON (001)

ANDREW SCHLICKSUP

TRIAL MINUTE ENTRY
DAY 3

Courtroom CCB 902

State's Attorney:	Christian Lueders
Defendant's Attorney:	Andrew Schlicksup
Defendant:	Present

Court Reporter, Mike Benitez, is present.

A record of the proceedings is also made digitally.

Prior the commencement of today's proceedings State's exhibits 24 and 25 are marked for identification.

Prior the commencement of today's proceedings Defendant's exhibits 26-36 are marked for identification.

9:37 a.m. Trial to a jury continues from March 06, 2018.

The jury is present.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2017-135625-001 DT

03/07/2018

State's case resumes:

Matthew Bolin is sworn and testifies.

State's exhibit 25 is received in evidence.

The witness is excused.

Aaron Hansen is sworn and testifies.

State's exhibit 9 is received in evidence.

State's exhibit 10 is received in evidence.

State's exhibit 11 is received in evidence.

State's exhibits 17 and 18 are received in evidence.

State's exhibit 12 is received in evidence.

The witness is excused.

William Benson is sworn and testifies.

State's exhibit 37 is marked for identification.

State's exhibit 37 is received in evidence over the objection of Defense Counsel.

11:06 a.m. The jury is reminded of previous admonitions and excused from the courtroom; court stands at recess.

11:30 a.m. Court reconvenes with respective counsel, and Defendant. The jury is all present.

Court Reporter, Mike Benitez, is present.

A record of the proceedings is also made digitally.

The witness resumes the stand and testifies further.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2017-135625-001 DT

03/07/2018

The witness is excused.

11:45 a.m. The jury is reminded of previous admonitions and excused from the courtroom; court remains in session.

Counsel for the Defendant moves for a mistrial.

Argument is presented.

IT IS ORDERED taking this matter under advisement during the lunch hour.

11:52 a.m. Court stands at recess.

1:19 p.m. Court reconvenes with respective counsel, and Defendant. The jury is not present.

Court Reporter, Mike Benitez, is present.

A record of the proceedings is also made digitally.

The Court notifies Counsel of an issue with a juror.

Discussion is held regarding Defendant's motion for mistrial.

Argument is presented.

IT IS ORDERED denying Defendant's motion for mistrial.

Letter from juror 1 is read.

FILED: Letter

Counsel for the State makes the Court aware that a juror made contact with the victim.

Discussion is held regarding the need to lead a witness.

Counsel for the State makes an oral motion to preclude the admission of exhibits 26 through 34.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2017-135625-001 DT

03/07/2018

Argument is presented.

THE COURT FINDS that there are factors under Rule 403; therefore,

IT IS ORDERED granting State's motion and precluding the admission of exhibits 26 through 34.

1:39 p.m. Jury is present.

David Aguero is sworn and testifies.

The Court receives a question from the jury; same is discussed between the Court and counsel and asked of the witness.

FILED: Juror Question(s) (3)

The witness is excused.

Ronald Sambriski is sworn and testifies.

The witness makes an in-court identification of the Defendant.

State's exhibit 24 is received in evidence over the objection of Defense Counsel.

The Court receives a question from the jury; same is discussed between the Court and counsel and asked of the witness.

FILED: Juror Question (4)

State's exhibit 15 is offered by the State.

LET THE RECORD REFLECT Counsel for the State withdraws motion to admit exhibit 15.

The witness is excused.

Ricardo Pena is sworn and testifies.

3:02 p.m. The jury is reminded of previous admonitions and excused from the courtroom; court stands at recess.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2017-135625-001 DT

03/07/2018

3:24 p.m. Court reconvenes with respective counsel, and Defendant. The jury is all present.

Court Reporter, Mike Benitez, is present.

A record of the proceedings is also made digitally.

The witness resumes the stand and testifies further.

The witness is excused.

Donald Peelman is sworn and testifies.

The witness makes an in-court identification of the Defendant.

The Court receives a question from the jury; same is discussed between the Court and counsel and asked of the witness.

FILED: Juror Question(s) (5 and 6)

The witness is excused.

State rests.

4:01 p.m. The jury is reminded of previous admonitions and excused from the courtroom; court remains in session.

Discussion is held regarding Defendant's prior felony convictions.

Discussion is held regarding Final Jury Instructions and Aggravation Phase.

4:09 p.m. Court stands at recess until March 08, 2018 at 10:00 a.m. before this division.